



Defense Counsel First Appearance Grant Program



Program Purpose

The Defense Counsel First Appearance Grant Program launched with the purpose of reimbursing in whole or in part, costs associated with the provision of defense counsel to defendants at their first appearance in municipal courts as required under § 13-10-114.5 C.R.S..

Effective July 1, 2018 under § 13-10-114.5 C.R.S.:

- At the time of first appearance on a municipal charge, if the defendant is in custody and the charged offense includes a possible sentence of incarceration, the court shall appoint counsel to represent the defendant for purposes of the initial appearance unless, after a full advisement pursuant to C.M.C.R. 210 and § 16-7-207 C.R.S., the defendant makes a knowing, intelligent, and voluntary waiver of his/her right to counsel.
- If the defendant remains in custody, the appointment of counsel continues until the defendant is released from custody. If the defendant is released from custody, he/she may apply for court-appointed counsel, and the court shall appoint counsel if the court determines that the defendant is indigent and the charged offense includes a possible sentence of incarceration.

Program Eligibility

- Colorado Municipal Courts

Program Reimbursement Applications

Notice of Fund Available (NFA) will open on September 1, 2018. Reimbursement applications will be accepted through October 1, 2018.

All requests for reimbursement must:

- Complete the application through the e-grants portal.
- Provide supporting documentation of any and all expenses for provision of first appearance as required under § 13-10-114.5 C.R.S. for the time frame of August 1 - August 31, 2018.
- Provide a spreadsheet of all first appearances between August 1, 2018 through August 31, 2018. An example of how to count those appearances can be found [here](#).
- Provide the date of approval from the Chief Elected Official to seek reimbursement to include confirmation that the applications have evaluated TABOR limitations and can accept these dollars.

*It is important that each application provide the total hours of provision of service along with the spreadsheet of actual appearances as the state is prepared to reimburse each hour for the provision of service related to first appearances at \$75.00 per hour or the hourly rate of the Alternative Defense Council for misdemeanor and traffic, whichever is greater, until funding is expended for the year.



Program Contact

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